

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

STEPHEN CHANG AND HONGYAN CHEN, No. C 07-3562 SBA

Plaintiffs,

V.

[Docket No. 14]

MICHAEL CHERTOFF, *et al.*,

## Defendants.

MICHAEL CHERTOFF, *et al.*,  
Defendants.

Before the Court is the defendants' *ex parte* application to reschedule the hearing on the parties' motions set for October 16, 2007 [Docket No. 13]. The plaintiffs oppose the motion.

The defendants state that the “current schedule does not allow Defendants time to reply to Plaintiffs’ opposition to their cross motion for summary judgment.” Docket No. 13. The defendants offer no explanation for this claim. On September 10, 2007, both the plaintiffs and defendants filed motions, noticing them for hearing on October 16, 2007, in compliance with the local rules that motions be noticed thirty-five days or more before the hearing. Since that time, both parties have filed their oppositions. The plaintiffs have filed a reply. The defendants offer no reason why they are unable to similarly file a timely reply. Having shown no reason why the hearing should be rescheduled, the defendants’ *ex parte* application is DENIED.

## IT IS SO ORDERED

October 5, 2007

Saundra B Armstrong  
Saundra Brown Armstrong  
United States District Judge

Saundra Brown Armstrong  
United States District Judge